

MAINE STATE LEGISLATURE

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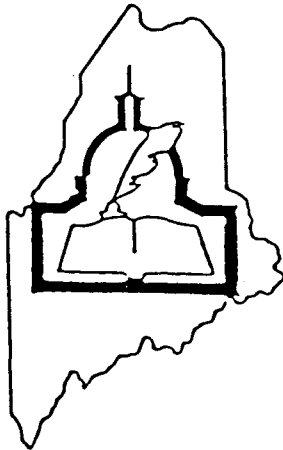
ONE HUNDRED AND ELEVENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1984

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the Second Regular Session of the 111th Legislature. The summaries are arranged alphabetically, and indexed separately by committee.

STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
STATE GOVERNMENT
BILL SUMMARY



MAY, 1984

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<u>LD</u>	<u>TITLE</u>	<u>SPONSOR</u>	(Committee Report) <u>DISPOSITION</u>
1882	AN ACT TO CREATE THE INDEPENDENT OFFICE OF HEARING EXAMINERS	Vose	LV/WD

SUMMARY: This proposal, submitted at the request of the New England Telephone company, was intended by NET to correct a procedure at the Public Utilities Commission. The effect of the bill, however, would have been statewide.

The problem, according to NET, is the various roles played by the PUC legal staff. In some cases, the PUC attorney is an advocate, and in another case, the attorney serves as the Hearing Examiner who makes recommendations to the Commission and decides the evidence to be used for cases. According to NET, these various roles can be conflicting and also unjust to the utilities.

The PUC argues that the various roles are not conflicting and are not unfair to the utilities. The roles of the legal staff change only according to the type of utility for which a case has been presented to the Commission. Thus, a hearing examiner in an electric utility rate case may only serve as an "advocate" in non-electric utility cases.

LD 1882 proposed to establish a separate state agency for hearing examiners to be used by all state agencies which conduct adjudicatory proceedings. Each agency would be assessed a "usage" fee.

This proposal, according to the PUC, is unworkable because the agency staff would be vastly inadequate. The proposed staff would either do PUC adjudicatory proceedings or the proceedings of other agencies, but not both. There would be a significant cost, a minimum of \$250,000, to increase the staff to the satisfactory level.

Since the Committee on Audit and Program Review will investigate the PUC in 1984, the sponsor accepted a "leave-to-withdraw" prior to scheduling a public hearing on the bill.

1928	RESOLVE, AUTHORIZING THE TRANSFER OF STATE PROPERTY IN LITTLE SQUAW TOWNSHIP FOR USE AS A SANITARY FACILITY FOR THE TOWN OF GREENVILLE	Pray	LV/WD
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SUMMARY: LD 1928 proposed to transfer 25 acres of state property in Little Squaw Township to the town of Greenville for use as a dump. According to the DEP there are very few acceptable sanitary landfill sites in the Greenville area. The present dump site has poor soil, a high water table, and is polluting a stream.

The Department of Conservation (Bureau of Public Lands) opposed the bill on the grounds that: 1) all the tests on the site have not been completed, the 25 acres may not be necessary, that valuable or aesthetically beautiful land should not be given away, and the Department would prefer to work-out another solution to the problem.